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Attorneys for Defendant/Counter-Claimant  
WALTER HARVEY

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

SCOTTSDALE INSURANCE COMPANY

Plaintiff,

v.

HENRY MORENO, ROSE A. MORENO, LA  
MANSION DEL RIO, WALTER HARVEY,  
and DOES 1 through 100, inclusive,

Defendants.

CASE NO.: CIV S-02-1890 WBS GGH

STIPULATION AND ~~[PROPOSED]~~  
ORDER POSTPONING TRIAL

Trial Date: October 2, 2007

Judge: Hon. William B. Shubb

Pursuant to Local Rule 78-230 (g) , the parties hereby submit the following Stipulation  
and [Proposed] Order:

Defendant/Cross-Claimant, Walter Harvey, by and through his counsel of record have  
just been informed on September 27, 2007, that the Honorable William B. Shubb is expected to  
commence with a three to four month criminal trial and thereafter other lengthy criminal cases  
until May 2008.

Therefore, the parties have agreed to a new trial date of June 10, 2008.

The parties further agree that any rule, law, regulation or other authority requiring trial of

1 this action within a limited time frame of up to five (5) years is waived, and that failure to bring  
2 this action to trial within any prescribed time limit not to exceed five (5) years will not bar trial of  
3 this action.

4 Due to the above circumstances the parties now request that this Court's trial date for this  
5 matter now scheduled for October 2, 2007 be continued as follows:

6 That the previously scheduled trial date of October 2, 2007 be continued to June 10, 2008  
7 at 9:00 a.m. if agreeable with the Court.

8 It is so stipulated.  
9

10 DATED: October 5, 2007

SELMAN BREITMAN LLP

11 By /s/ James R. Tenero  
12 JAMES R. TENERO  
13 LINDA WENDELL HSU  
14 Attorneys for Plaintiff  
SCOTTSDALE INSURANCE COMPANY

15 DATED: October 5, 2007

BORTON, PETRINI & CONRON LLP

16 By /s/ Mark Newman  
17 MARK NEWMAN  
18 Attorneys for Defendant, WALTER HARVEY

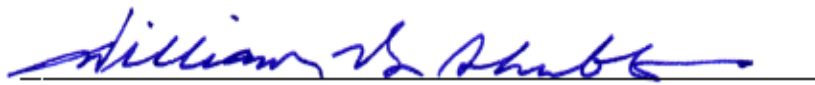
19 DATED: October 5, 2007

LAW OFFICES OF POOLE & PEREIRA

20 By /s/ Paul A. Pereira  
21 PAUL A. PEREIRA  
22 Attorneys for Defendant, WALTER HARVEY

23 **It is so ordered:**

24 DATED: October 10, 2007

25   
26 WILLIAM B. SHUBB  
27 UNITED STATES DISTRICT JUDGE  
28